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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord, the giver of grace, in these turbulent and tempestuous times when we do not know what a day may bring, You continue to be sovereign. Morning after morning, we continue to receive Your new mercies.

Lord, sustain our lawmakers with Your unfailing love that is as high as the heavens. May our Senators know that, in everything, You continue to work for the good of those who love You and who are called according to Your purpose for them. Pour out upon our legislators the riches of Your mercy so that they may stay steadfast in faith.

Eternal God, hear us as we pray. We need stronger hearts, greater faith, and clearer perception.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 1 minute as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

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Mr. GRASSLEY. Mr. President, there is a story that we often hear about in high school and government classes

where George Washington is said to have told Jefferson that the Senate was created to “cool” House legislation as a saucer is used to cool hot tea.

Whether that is historically accurate or not, it is a good summation of the role of the U.S. Senate. Now I am going to quote from Federalist 62 what Madison said. He could have made this quote a little easier to understand, but here it is anyway: “The necessity of a senate is not less indicated by the propensity of all single and numerous assemblies to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions.”

That is the end of Madison’s quote, Federalist 62.

Now, considering Madison’s admonition, it should be no surprise to anyone whatsoever that the Senate passes fewer bills than the House and always has. But how come those who parrot the partisan talking points that the Senate is a legislative graveyard don’t also talk about the over 200 Senate bills on Speaker PELOSI’s desk?

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

IRAN

Mr. MCCONNELL. Mr. President, I had planned to discuss the corrosive political games that the Speaker of the House continues to play with the solemn issue of Presidential impeachment, but the deadly serious events of yesterday evening threw those political squabbles into the starkest possible relief.

I was troubled but not surprised by reports that Iran fired ballistic missiles at U.S. forces in Iraq last night. As I have warned, the threat posed by Iraq has been growing for years, and

this threat will continue even beyond the death of Tehran’s master terrorist, Soleimani.

We must remain vigilant in the face of serious threats posed by Tehran. Apparently, these strikes did not kill or wound Americans, but they demonstrate the significant progress Iran has made over the last decade in building a large, long-range, and accurate ballistic missile force. Many of us have long cited the absence of any constraint on Iran’s sophisticated missile program as one of the primary shortcomings of the Obama Iran deal, and this strike stands as a reminder to the world of this growing threat.

We rightly talk a lot in this Chamber about American interests, but last night was another stark reminder that Iran and its proxies have been a cancer on Iraq’s sovereignty and Iraq’s politics for some time.

Tehran has long shown disregard for Iraqi lives. Just in the last few weeks, its militia proxies have slaughtered innocent Iraqi protesters, and it has launched ballistic missiles at its territory. The millions of Iraqis who have been taking to the streets for months to protest have understood this perfectly well.

I spoke to the President last night. I am grateful for his patience and prudence as he and his Cabinet deliberate on how to respond appropriately to the latest Iranian provocation. As a superpower, we have the capacity to exercise restraint and to respond at a time and place of our choosing, if need be. I believe the President wants to avoid conflict or needless loss of life but is rightly prepared to protect American lives and interests. I hope Iran’s leaders do not miscalculate by questioning our collective will and launching further attacks. For our part, I certainly hope our own congressional deliberations do not give Tehran a reason to question our national will.

Top officials will provide a classified briefing to Senators today. As I have

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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said before, I hope all Senators will wait for the facts before they pass judgment on the recent strike on Soleimani. Patience, caution, and restraint can sometimes be in short supply around here, but when matters of national security are at hand, it is imperative that we seek out the facts, restrain our partisan urges, and concentrate on protecting our country.

For this reason, it has troubled me that Speaker PELOSI responded to the earliest reports yesterday by leaping to blame “needless provocations” by our administration. In other words, she was blaming the United States.

So let’s be clear. We can and should debate how to responsibly respond to Iranian threats, but the notion that our administration is to blame for Iranian aggression—that is nonsense. Utter nonsense.

For 40 years since the founding of the Islamic Republic, Iran has consistently pursued aggression against the United States, against Israel, and against its Arab neighbors. The question before us is not who is to blame for the aggression. It is how best to deter and defend against it.

IMPEACHMENT

Mr. MCCONNELL. Mr. President, I do need to say a few words about the other serious matter occupying the Congress.

Late last year, Speaker PELOSI and House Democrats sped through a slapdash impeachment of President Trump in 12 weeks because they insisted the need to undo the 2016 election was urgent—urgent, they said.

Since then, the same people have spent 3 weeks dragging their heels and refusing to proceed to a Senate trial. Supposedly, the explanation for this shameless game playing is that Speaker PELOSI wanted leverage—leverage—to reach into the Senate and dictate our trial proceedings to us.

I have made clear from the beginning that no such leverage exists. It is nonexistent. Yesterday, we made it clear it will never exist. A majority of the Senate has decided that the first phase of an impeachment trial should track closely with the unanimous bipartisan precedent that all 100 Senators supported for the first phase of the Clinton trial back in 1999. There will be no haggling with the House over Senate procedure. We will not cede our authority to try this impeachment. The House Democrats’ turn is over. The Senate has made its decision.

The 1999 precedent does not guarantee witnesses or foreclose witnesses. Let me say that again. It neither guarantees witnesses nor forecloses witnesses. It leaves those determinations until later in the trial, where they belong. I fully expect the parties will raise questions of witnesses at the appropriate time.

I would remind my friends on the other side that I strongly suspect that not all of the potential witnesses would be people the Democrats are eager to

hear from. The Senate will address all of these questions at the appropriate time, and that is for the Senate and the Senate only to decide, period.

Now even fellow Democrats are expressing public concern over the Speaker’s endless appetite for these cynical games. Here is what the senior Senator from Connecticut told the press yesterday. He said: “I think the time has passed. She should send the articles over.” And the senior Senator from West Virginia said: “I think it needs to start; I really do.” And the junior Senator from Maine said: “I think it is time for the Speaker to send the articles over.”

My Democratic friends are losing patience, just as the American people are losing patience. The country knows this absurdity should not go on. So what do the American people say?

A recent Harvard-Harris poll found that 58 percent of Americans believe Speaker PELOSI should send the articles to the Senate, not continue holding them up. Let me say that again. This is a Harvard poll. It found that 58 percent of Americans believe Speaker PELOSI should send the articles to the Senate, not continue holding them up. In the same survey, 77 percent believe Democrats need to accept the same structure as the Clinton trial rather than hold out for special new rules. So we are beginning to hear from the American people how they view this standoff.

We all know that Senators have a diversity of opinions about President Trump, about the House inquiry, and about the optimal structure for a trial. But notwithstanding all of this, no Senator—no Senator—should want the House of Representatives to steamroll institutional norms and dictate our business to us.

Haven’t enough toxic new precedents been set in recent months? Hasn’t the House broken enough constitutional china already?

This is not about the current Speaker and the current President. Do my colleagues believe this is what a future Democratic President would deserve? Do they believe it is good for the country?

There is a reason the Constitution reads the way it does. The House has the sole power of impeachment. They have exercised it. It is the Senate to whom the Founders gave the sole power to try all impeachments, end of story.

Yet, even as her fellow Democrats are jumping ship, the Speaker is trying to double down. Yesterday evening, in the midst of these deadly serious events, Speaker PELOSI put out yet another statement saying that she has no intention to end her political game playing. At the very same time that a global crisis was unfolding in realtime, she published yet another “Dear Colleague” letter saying that she intends to keep our Commander in Chief in this limbo indefinitely.

I am glad Democratic Senators are losing patience with this. I would urge

my friend the Democratic leader to listen to his own Members. My distinguished colleague from New York, as the minority leader in the U.S. Senate, is a senior Member of an independent branch of our bicameral legislature.

The Senate is not a creature of the House. The Democratic leader does not need to continue to be in thrall to the Speaker. He does not need to keep colluding with outside efforts to supplant the judgment of his own colleagues. Stand up for the Senate. Stand up for our institutions. Stand up for the country.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Matthew H. Solomson, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

IRAN

Mr. SCHUMER. Mr. President, last night, the Department of Defense confirmed reports that Iran launched missiles at a number of our installations in Iraq that housed U.S. and coalition forces. As details continue to emerge, it appears that there have been no casualties. We commend the professionalism and bravery of our service-members and other personnel in harm’s way.

While we are thankful that there were no casualties and we are thankful for the safety of American forces and personnel in the region, I condemn the attack by the Iranian Government and remain concerned about the risk of further escalation of hostilities in the Middle East. Now, more than ever, the